

JAN 09 2006 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Jonathan Madge et al.

Application No.: 10/658,971

Filed: September 9, 2003

Confirmation No.: 3998

For: BORONIC ACID SALTS USEFUL IN
PARENTERAL FORMULATIONS

Examiner: Brian Yong S. Kwon

Art Unit: 1614

Attorney Reference No.: 6613-66749-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent for Applicant(s) Wayne L. RuprechtDate Mailed January 6, 2006

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ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed is an Amendment and Reply to Restriction/Election of Species Requirement for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED					
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	57	- 29*	= 28	\$50.00	\$1,400.00
Indep. Claims	5	- 5**	= 0	\$200.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)					\$360.00
One-month Extension of Time					\$120.00
Two-month Extension of Time					\$450.00
Three-month Extension of Time					\$1,020.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$1,400.00

* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.

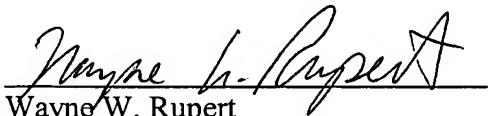
A check in the amount of \$1,400.00 is attached for payment of the excess claims fees.

Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

- If the Patent and Trademark Office determines that this amendment results in an additional application size fee for pages in excess of 100, please charge the fee to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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Attorney or Agent for Applicant(s) Margie L. Bryant

Date Mailed January 6, 2006

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**AMENDMENT AND REPLY TO RESTRICTION/ELECTION OF SPECIES
REQUIREMENT**

This responds to the Office action mailed December 6, 2005. A response is due by January 6, 2006. Please amend the referenced application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 14 of this paper.